

(b) Section 18 emergency exemptions. [Reserved]

(c) Tolerances with regional registrations. [Reserved]

(d) Indirect or inadvertent residues. [Reserved]

[FR Doc. 03-10264 Filed 4-29-03; 8:45 am]

BILLING CODE 6560-50-S

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[OPP-2002-0358; FRL-7304-4]

#### Bifenthrin; Pesticide Tolerance

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** This regulation establishes tolerances for residues of bifenthrin in or on almond, hulls; banana; fruit, citrus, group; herb subgroup; pear; nut, tree, group; spinach; tomato; and food/feed products in food/feed handling establishments. FMC Corporation and the Interregional Research Project Number 4 (IR-4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA).

**DATES:** This regulation is effective April 30, 2003. Objections and requests for hearings, identified by docket ID number OPP-2002-0358, must be received on or before June 30, 2003.

**ADDRESSES:** Written objections and hearing requests may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit VI. of the **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Susan Stanton, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-5218; e-mail address: [stanton.susan@epa.gov](mailto:stanton.susan@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

You may be affected by this action if you are an agricultural producer; food/feed or beverage manufacturer, wholesale or retailer; restaurant owner/worker; or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop producers (NAICS 111), e.g., tree fruit and nut growers, tomato growers and herb producers

- Animal producers (NAICS 112), including cattle, sheep, swine, dairy, and poultry producers

- Food and beverage manufacturers (NAICS 311), including canners, bottlers, brewers, bakers and other food and beverage processors

- Food and beverage stores (NAICS 445)
- Restaurants (NAICS 722)
- Pesticide manufacturers (NAICS 32532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

###### B. How Can I Get Copies of this Document and Other Related Information?

1. **Docket.** EPA has established an official public docket for this action under docket identification (ID) number OPP-2002-0358. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. **Electronic access.** You may access this **Federal Register** document electronically through the EPA Internet under the **"Federal Register"** listings at <http://www.epa.gov/fedrgstr/>. A frequently updated electronic version of 40 CFR part 180 is available at [http://www.access.gpo.gov/nara/cfr/cfrhtml\\_00/Title\\_40/40cfr180\\_00.html](http://www.access.gpo.gov/nara/cfr/cfrhtml_00/Title_40/40cfr180_00.html), a beta site currently under development. To access the OPPTS Harmonized Guidelines referenced in this document, go directly to the guidelines at <http://www.epa.gov/opptsfrs/home/guidelin.htm>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

## II. Background and Statutory Findings

In the **Federal Register** of February 15, 2002 (67 FR 7159-7163) (FRL-6823-3); February 14, 2001 (66 FR 10289-10292) (FRL-6768-7); and April 25, 2001 (66 FR 20811-20815) (FRL-6778-4), EPA issued notices pursuant to section 408 of FFDCA, 21 U.S.C. 346a, as amended by FQPA (Public Law 104-170), announcing the filing of pesticide petitions (PP 2F6390, 6F3454, 0E6216 and 1F6266) by FMC Corporation; (PP 6E4630, 0E6157, 1E6330 and 2E6402) by the Interregional Research Project Number 4 (IR-4); and (PP 1E6234) by the Taipei Economic and Cultural Representative Office. These notices included summaries of the petitions prepared by FMC Corporation, the registrant. There were no comments received in response to the notices of filing.

These petitions requested that 40 CFR 180.442 be amended by establishing tolerances for residues of the insecticide bifenthrin, (2-methyl[1,1'-biphenyl]-3-yl)methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethylcyclopropane-carboxylate, as follows:

1. PP 2F6390 proposed establishment of a tolerance for food products in food handling establishments at 0.01 ppm.

2. PP 6F3454 proposed establishment of a tolerance for pears at 1.0 ppm; almond hulls at 2 ppm; and tree nuts crop group at 0.05 ppm.

3. PP 0E6216 proposed establishment of a tolerance for imported bananas at 0.1 ppm.

4. PP 1F6266 proposed establishment of a tolerance for citrus whole fruits, citrus dried pulp, citrus cold pressed oil and citrus juice at 0.05 ppm.

5. PP 6E4630 proposed establishment of a tolerance for leaf petioles subgroup (4B) at 2.0 ppm.

6. PP 0E6157 proposed establishment of a tolerance for herb subgroup (19A) at 0.05 ppm.

7. PP 1E6330 proposed establishment of a tolerance for tomato at 0.15 ppm.